

SIXTH DAY

(Monday, February 5, 1934)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Holloway.
Adamson.	Hoskins.
Aikin.	Huddleston.
Alexander.	Hughes.
Alsup.	Hunt.
Anderson.	Hunter.
Atchison.	Hyder.
Baker.	Jackson.
Barrett.	James.
Barron.	Jefferson.
Beck.	Jones of Atascosa.
Bergman.	Jones of Runnels.
Bourne.	Jones of Shelby.
Bradley.	Kayton.
Burns.	Kyle of Hays.
Butler.	Kyle of Palo Pinto.
Calvert.	Laird.
Camp.	Lange.
Canon.	Latham.
Cathey.	Lemens.
Caven.	Leonard.
Celaya.	Lindsey.
Chastain.	Long.
Clayton.	Lotief.
Colson.	Mackay.
Coombes.	Magee.
Cowley.	Mathis.
Crossley.	McCullough.
Daniel.	McGregor.
Davidson.	McKee.
Dean.	Merritt.
Devall.	Metcalfe.
Dunlap.	Mitcham.
Dunagan.	Moore.
Duvall.	Morrison.
Dwyer.	Morse.
Engelhard.	Munson.
Fain.	Nicholson.
Fisher.	Palmer.
Ford.	Parkhouse.
Fuchs.	Patterson.
Glass.	Pavlica.
Golson.	Puryear.
Good.	Ramsey.
Goodman.	Ratliff.
Greathouse.	Ray.
Griffith.	Reader.
Hankamer.	Reed of Bowie.
Harman.	Reed of Dallas.
Harris.	Renfro.
Hartzog.	Riddle.
Head.	Roark.
Hester.	Roberts.
Hicks.	Rogers of Hunt.
Hill.	Rogers
Hodges.	of Ochiltree.
Holekamp.	Rollins.
Holland.	Russell.

Savage.	Tillery.
Scarborough.	Townsend.
Shannon.	Turlington.
Shults.	Van Zandt.
Smith.	Vaughan.
Stanfield.	Wagstaff.
Steward.	Walker.
Stinson.	Weinert.
Stovall.	Wells.
Stubbeman.	Winningham.
Tarwater.	Wood.
Tennyson.	Young.
Thomas.	

Absent

Harrison.	Pope.
Johnson	
of Anderson.	

Absent—Excused

Bedford.	McDougald.
Graves.	Moffett.
Johnson	Scott.
of Dimmit.	

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. McDougald for today and the balance of the week, on motion of Mr. Parkhouse.

Mr. Graves for today, on motion of Mr. Camp.

Mr. Scott for today, on motion of Mr. Merritt.

The following Members were granted leaves of absence on account of illness:

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. Bedford for today and tomorrow, on motion of Mr. Tennyson.

Mr. Moffett for today, on motion of Mr. Alexander.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 5, 1934.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference report on House Bill No. 4 by the following vote: Yeas, 23; nays, 3.

Respectfully,
BOB BARKER,
Secretary of the Senate.

TO PROVIDE FOR CERTAIN INVESTIGATION

Mr. Metcalfe offered the following resolution:

Whereas, By Senate Bill No. 363, Regular Session, Forty-second Legislature (Chapter 132, Special Laws, Regular Session, Forty-second Legislature, 1931), the Commissioner of the General Land Office was ordered and directed to sell to the City of Port Isabel, Cameron County, Texas, 1,172 acres of submerged land at a price of one dollar (\$1.00) per acre; and

Whereas, Said land described in said Act surrounds the City of Port Isabel on three sides, and is submerged land heretofore belonging to the State of Texas; and

Whereas, The ship channel being constructed by the United States Government, connecting the Gulf of Mexico with the deep water port at Port Isabel, passes through a part of said 1,172 acres of land; and

Whereas, Said Act recites that same was passed for the benefit of the City of Port Isabel; and

Whereas, Said Act was approved and became effective on April 27, 1931; and

Whereas, On April 13, 1931, before said Act was passed, the City of Port Isabel, Texas, entered into a contract with the Port Isabel Channel, Dock & Wharf Company, a corporation, by which the City of Port Isabel agreed to sell and convey to the Port Isabel Channel, Dock & Wharf Company the 1,172 acres of land which the City of Port Isabel was attempting to acquire from the State of Texas, said City of Port Isabel contracting and agreeing to sell said land to the Port Isabel Channel, Dock & Wharf Company at a price of two dollars (\$2.00) per acre, one dollar (\$1.00) of said price being payable upon delivery of the deed, same to be delivered immediately upon the passage by the Legislature, and the signature by the Governor of Senate Bill No. 363; and

Whereas, Said contract was made before the passage of the aforementioned Act by the Legislature, and was a contract dealing with title to public lands of Texas, made before the law authorizing the granting of said lands had passed; and

Whereas, It was provided in said contract of April 13, 1931, between the City of Port Isabel and Port Isabel Channel, Dock & Wharf Com-

pany, that the vendee, Port Isabel Channel, Dock & Wharf Company, agreed to pay to the City of Port Isabel all expenses in connection with the passage and enactment by the Legislature of the Act granting to the City of Port Isabel said 1,172 acres of land; and

Whereas, Patent was issued to the City of Port Isabel in accordance with said Act of the Regular Session of the Forty-second Legislature, same being Patent No. 333, Volume 50A; and

Whereas, It has been stated that said lands were reasonably worth the sum of five hundred thousand dollars (\$500,000.00) for dock and wharf purposes at the time of the granting of same by the State of Texas at a price of one dollar (\$1.00) per acre; and

Whereas, Said grant was made ostensibly to the City of Port Isabel, but in reality for the benefit of the Port Isabel Channel, Dock & Wharf Company; and

Whereas, It has been charged that the Port Isabel Channel, Dock & Wharf Company is an Insull corporation, now owned and controlled by the receiver of the Insull interests in Chicago, and that the City of Port Isabel was used by said Insull corporations to procure a patent to this extremely valuable land from the State of Texas for a mere fraction of its real value; and

Whereas, It has been charged in a petition filed in Cause No. 12,161, pending in the Civil District Court of Cameron County, Texas, One Hundred Third Judicial District, styled McGilvray vs. The Port Isabel Channel, Dock & Wharf Company et al.; that at the date of the grant of said lands by the City of Port Isabel to the Port Isabel Channel, Dock & Wharf Company, a majority of the City Commission of the City of Port Isabel were actively employed in the service of the Port Isabel Channel, Dock & Wharf Company and its affiliated Insull companies, and were receiving a fixed monthly compensation for such service to said companies at the time said City of Port Isabel granted said lands to the Port Isabel Channel, Dock & Wharf Company; and

Whereas, Said land so granted surrounded the City of Port Isabel on the three water fronts of said City, and create a monopoly in said Port Isabel Channel, Dock & Wharf Company in the submerged land surround-

ing the City of Port Isabel and Point Isabel Peninsula, upon which said City is situated; now, therefore, be it

Resolved by the House of Representatives of the Forty-third Legislature of the State of Texas:

1. That an investigation be ordered, the object of which is to establish the true facts concerning the aforesaid allegations and transactions, and any other matters investigated, and to accomplish the following purposes:

(a) To determine whether the State of Texas received a value for the 1,172 acres of land above mentioned, which land is particularly described in Chapter 132, Special Laws, Regular Session of the Forty-second Legislature, or received value for any other property sold or services rendered.

(b) To determine the validity of this patent to the City of Port Isabel in view of the pre-existing contract of the City of Port Isabel with the Port Isabel Channel, Dock & Wharf Company.

(c) To determine whether the City Commission of the City of Port Isabel was controlled by the Port Isabel Channel, Dock & Wharf Company and its affiliated companies at the time the City of Port Isabel made said grant to the Port Isabel Channel, Dock & Wharf Company.

(d) To enable the Legislature to take such action as is deemed necessary and proper in the event any irregularities are found to exist in connection with the issuance of this patent and with the transfer of this land by the City of Port Isabel to the Port Isabel Channel, Dock & Wharf Company, or in connection with any other property sold by or services rendered to the State.

Now, therefore, be it further

Resolved,

1. That a committee of five Members of the House be appointed by the Speaker of the House to make the investigation provided for by this resolution, and to procure full and complete information with reference to the matters herein mentioned and referred to.

2. That said committee shall have the power to formulate its own rules of procedure and evidence, and to provide for its own hours for meeting and adjourning; and sessions of said committee shall be open to the public, except at such times as the commit-

tee, by a majority vote, may determine to hold an executive session. The chairman of said committee shall be elected by a majority vote of the members of said committee, and the committee shall appoint its own secretary and employes, and its sergeant-at-arms.

3. That the committee shall have the power to issue process for witnesses to any place in this State, and to compel their attendance, and to produce all books and records, and upon disobedience of any subpoena the said committee shall have the power to issue attachments, which may be addressed to and served by either the sergeant-at-arms appointed by said committee or any sheriff or any constable of this State; said committee shall have power to inspect and make copy of any books, records, or files of any department, commission or board of this State, or any employe or appointee by said committee and of any county or city or town or political subdivision of this State, and shall have power to examine and audit the books of any person, firm or corporation having dealings with said departments, commissions or boards, or county, city or town under investigation, or any employe or appointee of said offices. The committee shall have the power to administer oaths and affirmations, and fix the bonds of attached witnesses, and the committee shall further have all powers necessary in order to accomplish the purposes for which it is appointed.

4. The witnesses attending said committee under process shall be allowed the same mileage and per diem as is allowed witnesses in the trial of criminal cases in the District Court.

5. Said committee shall have the power and authority to employ and compensate all necessary experts, investigators, stenographers, clerks, auditors, and all other necessary employes, and it shall be the duty of said committee to make and keep a record of its investigations.

6. That said committee may call upon the Attorney General's Department for assistance and advice, and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon the request of the chairman or members of said committee.

7. That said committee shall begin

and complete its investigation at the earliest practicable moment, and shall submit a report in writing to any subsequent Special Session of the Forty-third Legislature, or if there be no subsequent Special Session of the Forty-third Legislature, the committee shall submit its report to the Forty-fourth Legislature. The compensation and expenses herein provided for, incident to such investigation, shall be paid out of the appropriation for mileage and per diem and Contingent Expenses of the Second Called Session of the Forty-third Legislature upon sworn account of the persons entitled to such pay, when approved by chairman of said committee and sufficient money is hereby appropriated out of the mileage and per diem and Contingent Fund of said Second Called Session of the Forty-third Legislature to meet the payment of such per diem and expenses of the members of said committee, witnesses, fees, and other expenses incident to said investigation.

8. Said committee may include in its report its recommendation of any legislation that should be enacted or any legal or other action that should be taken in connection with the passage of the aforementioned Act, and the granting of said land by the City of Port Isabel to the Port Isabel Channel, Dock & Wharf Company, and any other recommendations about any matter investigated by it which it may see fit to make.

METCALFE,
HUGHES,
JONES of Atascosa.

The resolution was read second time.

Mr. McGregor moved that the resolution be referred to the Committee on State Affairs.

Mr. Alsop moved as a substitute motion, that the resolution be referred to the Committee on Public Lands and Buildings.

Question first recurring on the substitute motion, it was adopted.

The motion as substituted was then adopted.

TO GRANT M. M. PIPINS PERMISSION TO SUE THE STATE

Mr. Mitcham offered the following resolution:

H. C. R. No. 13, To grant M. M. Pipins permission to sue the State.

Whereas, During the year 1933, M.

M. Pipins was occupying a farm on the D. O. Williams Survey, Henderson County, Texas; and

Whereas, On or about the tenth day of August of said year 1933, R. F. C. workers under the supervision of Tom Hulburt, put out fire which spread to pasture of said M. M. Pipins, and did burn off pasture of forty acres and ten fence posts and necessitated replacing said posts and restretching wire at a reasonable price of ten cents per post and one day's labor at a reasonable wage of \$2.40 per day. A reasonable value of pasture land burned is placed at \$1.00 per acre, totaling a loss to said Pipins of \$44.40:

Whereas, Said M. M. Pipins has never been compensated by the State for said loss; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said M. M. Pipins be, and is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Henderson County, Texas, in order to determine what compensation, if any, he is entitled to receive by reason of such damages, and in case such suit be filed, services of citation or other necessary process may be had upon the Highway Commission and the Attorney General with the same force and effect as is made and provided in civil cases.

The resolution was read second time.

On motion of Mr. Aikin the resolution was referred to the Committee on State Affairs.

TO GRANT N. W. BUCHANAN PERMISSION TO SUE THE STATE

Mr. Thomas offered the following resolution:

H. C. R. No. 14, Granting N. W. Buchanan permission to sue the State of Texas.

Whereas, On or about September 23, 1933, N. W. Buchanan, resident of the City of Tahoka, in Lynn County, Texas, was standing on the side of his car, riding down the streets of Tahoka; and

Whereas, While he was so riding down the streets of Tahoka a Highway truck that was being driven by a young man in the services of the Highway Department of Texas recklessly backed into said Buchanan's car, seriously injuring said N. W. Buchanan. This injury consisted of

back and hips being severely crushed and flesh being torn from one leg almost all the way around, leaving the bone exposed for several inches, which has become a running sore, and will not heal for some time yet; and

Whereas, Said Buchanan, by reason of such accident, was confined to his bed for many weeks, and is able at this time to hobble around on crutches with severe pain and discomfort, and by reason of said accident, it may be many months before he is able to do any work at all; and

Whereas, N. W. Buchanan is married and has a family of three children who are wholly dependent on him for support, and by reason of said injury has been unable to make a living for his family, and will be unable to work for some time yet, thereby causing real suffering and need to both himself and family; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said N. W. Buchanan, or his heirs, executors, and administrators, be, and they are hereby authorized to bring suit against the State Highway Department of Texas, and/or the State of Texas for such amount as said N. W. Buchanan may be entitled to recover by reason of such resulting damages, and that in case such suit be filed, service of citation or other necessary process be had upon the Governor of the State of Texas, the Chairman of the State Highway Commission of Texas, and the Attorney General of Texas, and that the same have the same force and effect as made and provided in civil cases; and provided that either one of the parties to said suit shall have the right to appeal without the execution of bond, and any judgment that may be finally established against the State of Texas and the State Highway Commission of Texas or either of them, in said suit, shall be a liquidated debt, and shall be paid by the State Highway Commission of Texas out of the State Highway funds. Such a suit may be filed in any court of competent jurisdiction in Lynn County, Texas.

The resolution was read second time.

On motion of Mr. Alsup, the resolution was referred to the Committee on State Affairs.

ENDORSING HON. WM. J. FANNING FOR CERTAIN POSITION

Mr. Hunt offered the following resolution:

H. C. R. No. 15, Endorsing Hon. William J. Fanning for certain position.

Whereas, Hon. William J. Fanning, of Sulphur Springs, Texas, is an applicant for the appointment of United States Ambassador to Czecho-Slovakia, under the present Administration; and

Whereas, Hon. Will J. Fanning is an esteemed citizen, an able attorney of scholarly achievement, holding at present the position of vice-president of the Texas Junior Bar Association; and

Whereas, He is a fluent speaker of several languages which will enable him in adjusting himself to the European customs; and

Whereas, He has the endorsement of Senator Morris Sheppard and Senator Tom Connally for this position; therefore, be it

Resolved by the House of Representatives and the Senate concurring, now in session, That we endorse the Hon. William J. Fanning, of Sulphur Springs, Texas, for the appointment of United States Ambassador to Czecho-Slovakia, and as a token of our respect, admiration, and esteem of our fellow Texan, that an enrolled copy of this resolution be forwarded to President Franklin D. Roosevelt, to James A. Farley, to Senator Sheppard, to Senator Connally, at Washington, D. C., and to the Hon. William J. Fanning.

The resolution was read second time.

Mr. Lotief moved that the resolution be referred to the Committee on Federal Relations.

On motion of Mr. Aikin, the motion to refer the resolution was tabled.

The resolution was then adopted.

HOUSE JOINT RESOLUTION NO. 1 ON THIRD READING

The Speaker laid before the House, on its third reading,

H. J. R. No. 1, Ratifying an amendment to the Constitution of the United States of America, passed by the Sixty-eighth Congress of the United States of America, at its First Session, begun and held at the City of

Washington on Monday, the third day of December, one thousand nine hundred and twenty-four, which amendment, in substance, grants power to the Congress to limit, regulate, and prohibit the labor of persons under eighteen years of age, and expressly leaves unimpaired the power of the several States, except that the laws of said State shall be suspended to the extent necessary to give effect to legislation enacted by Congress.

The resolution was read third time, and was passed by the following vote:

Yeas—75

Adamson.	Magee.
Anderson.	Mathis.
Barrett.	McCullough.
Beck.	McKee.
Bourne.	Metcalfe.
Bradley.	Morrison.
Camp.	Morse.
Cathey.	Nicholson.
Celaya.	Palmer.
Chastain.	Parkhouse.
Clayton.	Pavlica.
Daniel.	Ramsey.
Davidson.	Ratliff.
Dean.	Ray.
Duvall.	Reader.
Dwyer.	Reed of Dallas.
Glass.	Renfro.
Golson.	Roark.
Hankamer.	Rogers of Hunt.
Harris.	Rogers
Hartzog.	of Ochiltree.
Head.	Rollins.
Hill.	Savage.
Holland.	Shannon.
Holloway.	Smith.
Hughes.	Stanfield.
Hunt.	Steward.
Hunter.	Stinson.
Hyder.	Stubbeman.
Jackson.	Tarwater.
Jefferson.	Thomas.
Jones of Runnels.	Tillery.
Kayton.	Turlington.
Lange.	Van Zandt.
Latham.	Wagstaff.
Lemens.	Wells.
Leonard.	Winningham.
Long.	Young.

Nays—45

Aikin.	Colson.
Alexander.	Cowley.
Alsup.	Crossley.
Atchison.	Devall.
Baker.	Fain.
Barron.	Fisher.
Bergman.	Ford.
Burns.	Fuchs.
Canon.	Goodman.

Holekamp.	Reed of Bowie.
Hoskins.	Riddle.
Huddleston.	Roberts.
James.	Russell.
Jones of Shelby.	Scarborough.
Kyle of Hays.	Shults.
Kyle of Palo Pinto.	Stovall.
Lindsey.	Tennyson.
Mackay.	Townsend.
Merritt.	Vaughan.
Mitcham.	Walker.
Moore.	Weinert.
Munson.	Wood.
Puryear.	

Absent

Butler.	Hester.
Calvert.	Hicks.
Caven.	Hodges.
Coombes.	Johnson
Dunlap.	of Anderson.
Dunagan.	Jones of Atascosa.
Engelhard.	Laird.
Good.	Lotief.
Greathouse.	McGregor.
Griffith.	Patterson.
Harman.	Pope.
Harrison.	

Absent—Excused

Bedford.	McDougald.
Graves.	Moffett.
Johnson	Scott.
of Dimmit.	

REASON FOR VOTE

I am heartily in favor of appropriate and adequate regulation of child labor, through State legislation, but I deem it unwise and unnecessary to grant this additional power to the central Government.

ATCHISON.

RELATIVE TO CONFERENCE
COMMITTEE ON HOUSE BILL
NO. 4

Mr. Moore moved to reconsider the vote by which the House, on last Friday, adopted the Conference Committee report on House Bill No. 4.

The motion to reconsider prevailed.

Mr. Alexander moved that the House reject the report, and that the same Committee be retained to consider the bill, except that the Speaker appoint a new Member in the place of Mr. Pope, who is absent.

The motion prevailed.

The Speaker announced the appointment of the same Committee with the exception of Mr. Pope, who is absent, and appointed Mr. Jones of Atascosa, to serve on the Committee instead of Mr. Pope.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 5, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered the vote by which the conference report on House Bill No. 4 was adopted, and grants the request of the House for further consideration by the conferees.

Respectfully,
BOB BARKER,
Secretary of the Senate.

On motion of Mr. Golson, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 5, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate had adopted

H. C. R. No. 10, Commending the Texas delegation in Congress for their successful protection of the rights of Texans.

Respectfully,
BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 4

Mr. Greathouse submitted the following conference committee report on House Bill No. 4:

Committee Room,
Austin, Texas, February 5, 1934.

Hon. Edgar E. Witt, President of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, appointed to adjust the differences between the two Houses on House Bill No. 4, have had the same under consideration, and we recom-

mend that said bill be passed in the form as attached hereto.

"H. B. No. 4.

A BILL

To Be Entitled

An Act to stay all sales under execution, or order of sale or under any deed of trust, mortgage or other contract giving or granting any power of sale of real property for debt now advertised to be made on February 6, 1934, until the first Tuesday in March, 1934; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on February 6, 1934, shall be required for such sale on the first Tuesday in March, 1934; providing this Act shall not affect any lien sought to be foreclosed that was procured for the purpose of securing in part or whole any indebtedness for money or property procured by misrepresentation, fraud, defalcation or embezzlement; providing the period for making return on any such execution or order of sale is extended for such period as may be necessary for the officer to make return, but such extension shall not extend beyond the first Tuesday in April, 1934; providing for sales by agreements between the record owner of the real estate and the holder of the indebtedness or trustee or person making such sale; and providing that the time during which any sale is suspended or extended shall not be computed as a part of the period within which any suit shall be instituted or any sale shall be made, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That all sales under any execution or order of sale issued out of any court of this State and all sales under any deed of trust, mortgage or other contract giving or granting any power of sale of real property for debt now advertised to be made on February 6, 1934, are hereby stayed and postponed until the first Tuesday of March, 1934; that no other or further advertisement or notice of any such sale that has been lawfully published or given for sale on February 6, 1934, shall be required for sale under such exe-

cution, order of sale or such deed of trust, mortgage or other contract on the first Tuesday in March, 1934. Any and all sales under execution, order of sale or under any deed of trust, mortgage or other contract giving or granting any power of sale of real property for debt, made prior to the first Tuesday in March, 1934, and subsequent to the effective date of this Act shall be and the same is hereby declared void. Provided that this Act shall not apply where the lien sought to be foreclosed was procured or obtained for the purpose of securing in part or whole any indebtedness for money or property procured by misrepresentation, fraud, defalcation or embezzlement. Provided further that if the record owner of such real estate and the holder of such indebtedness agree in writing that such sale shall be made on February 6th, 1934, such sale shall be valid and binding. In all such cases the agreement shall be signed by the trustee or other person making such sale and by the record owner of such real estate and shall be acknowledged and filed for record with the trustee's or other person's deed.

Sec. 2. That the period within which return is required to be made under any such execution or order of sale shall be, and the same is hereby, extended for such period as may be necessary to enable the officer making such sale to make due return thereof but such extension shall not extend beyond the first Tuesday in April, 1934.

Sec. 3. The time during which sales under execution, order of sale, deeds of trust, mortgage or contract shall be suspended or extended by the provisions of this Act shall not be accounted or computed as a part of the period within which suits shall be instituted or sales shall be made.

Sec. 4. The fact that widespread financial depression has made it impossible for many owners of encumbered real property to refinance loans secured by such property and has subjected vast amounts of valuable property to sale under foreclosure; the further fact that there is now no market demand for real estate which will cause sales on February 6th, 1934, to be made at grossly inadequate prices and amount to a confiscation of property without extinguishing secured indebtedness, thereby working a harsh and cruel injustice upon many people who are

unable to defend themselves; and the further fact that widespread sales of real estate for less than the intrinsic value will seriously retard the restoration of normal conditions, creates an emergency and an imperative public necessity demanding that the constitutional rule, requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,

SMALL,
REDDITT,
WOODWARD,
POAGE,

On the part of the Senate;

GREATHOUSE,
STINSON,
MORRISON,
JONES of Atascosa,
ROBERTS,

On the part of the House.

On motion of Mr. Greathouse, the report was adopted by the following vote:

Yeas—121

Adamson.	Glass.
Aikin.	Good.
Alexander.	Goodman.
Alsup.	Greathouse.
Anderson.	Hankamer.
Atchison.	Harman.
Barrett.	Harris.
Barron.	Hartzog.
Beck.	Head.
Bergman.	Hester.
Bourne.	Hicks.
Burns.	Hill.
Butler.	Hodges.
Camp.	Holekamp.
Canon.	Holland.
Cathey.	Holloway.
Caven.	Hoskins.
Celaya.	Huddleston.
Chastain.	Hughes.
Clayton.	Hunt.
Coombes.	Hunter.
Cowley.	Hyder.
Crossley.	Jackson.
Daniel.	James.
Dean.	Jones of Atascosa.
Devall.	Jones of Runnels.
Dunlap.	Jones of Shelby.
Dunagan.	Laird.
Duvall.	Lange.
Dwyer.	Latham.
Engelhard.	Lemens.
Fain.	Leonard.
Fisher.	Lotief.
Fuchs.	Mackay.

Magee.	Rollins.
Mathis.	Russell.
McCullough.	Savage.
McGregor.	Scarborough.
McKee.	Shannon.
Merritt.	Shults.
Metcalfe.	Smith.
Mitcham.	Stanfield.
Moore.	Steward.
Morrison.	Stinson.
Morse.	Stovall.
Nicholson.	Stubbeman.
Palmer.	Tarwater.
Parkhouse.	Tennyson.
Pavlica.	Thomas.
Puryear.	Tillery.
Ramsey.	Townsend.
Ratliff.	Turlington.
Ray.	Van Zandt.
Reader.	Wagstaff.
Reed of Bowie.	Walker.
Reed of Dallas.	Weinert.
Renfro.	Wells.
Riddle.	Winningham.
Roark.	Wood.
Roberts.	Young.
Rogers of Hunt.	

Nays—6

Davidson.	Lindsey.
Ford.	Munson.
Kyle of Hays.	Vaughan.

Absent

Baker.	Johnson
Bradley.	of Anderson.
Calvert.	Kayton.
Colson.	Kyle of Palo Pinto.
Golson.	Long.
Griffith.	Patterson.
Harrison.	Pope.
Jefferson.	Rogers
	of Ochiltree.

Absent—Excused

Bedford.	McDougald.
Graves.	Moffett.
Johnson	Scott.
of Dimmit.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 5, 1934.

Hon. Coke Stevensan, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has adopted the conference report on
House Bill No. 4 by the following
vote: Yeas, 23; nays, 3.

Respectfully,

BOB BARKER,
Secretary of the Senate.

GRANTING W. F. SEWELL AND J. C. LEWIS PERMISSION TO SUE THE STATE

The Speaker laid before the House,
for consideration at this time,

H. C. R. No. 5, Granting W. F.
Sewell and J. C. Lewis permission to
sue the State.

The resolution having heretofore
been read second time, and referred
to the Committee on State Affairs.

The Committee on State Affairs
having recommended the adoption of
the resolution.

Question recurring on the resolu-
tion, it was adopted.

GRANTING E. A. ELIOT AND WIFE PERMISSION TO SUE THE STATE

The Speaker laid before the House,
for consideration at this time,

H. C. R. No. 6, Granting E. A. Eliot
and wife permission to sue the State.

The resolution having heretofore
been read second time, and referred
to the Committee on State Affairs.

The Committee on State Affairs
having recommended the adoption of
the resolution.

Question recurring on the resolu-
tion, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House,
for consideration at this time,

H. C. R. No. 4, Granting O. B.
Hamilton permission to sue the State.

The resolution having heretofore
been read second time, and referred
to the Committee on State Affairs.

The Committee on State Affairs
having recommended the adoption of
the resolution, with the following
committee amendment:

Amend the resolving clause of
House Concurrent Resolution No. 4
by changing the venue from Red River
County to Travis County.

The amendment was adopted.

The resolution as amended was then
adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House,
for consideration at this time,

H. C. R. No. 11, Granting Sam
Tobolowsky and James A. Gripeotis
permission to sue the State.

The resolution having heretofore

been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution with the following committee amendment:

Amend House Concurrent Resolution No. 11 in the resolving clause so as to change the venue from Dallas County to Travis County.

The amendment was adopted.

The resolution as amended was then adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 1, Granting Maney and Alley, contractors, permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution with the following committee amendment:

Amend the resolving clause of House Concurrent Resolution No. 1 so as to change the venue from Tarrant County to Travis County.

The amendment was adopted.

The resolution as amended was then adopted.

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 4, "An Act to stay all sales under execution, or order of sale or under any deed of trust, mortgage or other contract giving or granting any power of sale of real property for debt now advertised to be made on February 6, 1934, until the first Tuesday in March, 1934; providing that no other or further advertisement or notice of any such sale than that lawfully given for sale on February 6, 1934, shall be required for such sale on the first Tuesday in March, 1934; providing this Act shall not affect any lien sought to be foreclosed that was procured for the purpose of securing in part or whole any indebtedness for money or property procured by misrepresentation, fraud, defalcation, or embezzlement; providing the period for making return on any such execution or order of sale is extended for such period as may be necessary for

the officer to make return, but such extension shall not extend beyond the first Tuesday in April, 1934; providing for sales by agreements between the record owner of the real estate and the holder of the indebtedness or trustee or person making such sale; and providing that the time during which any sale is suspended or extended shall not be computed as a part of the period within which any suit shall be instituted or any sale shall be made, and declaring an emergency."

ADJOURNMENT

On motion of Mr. Morse, the House, at 3:25 o'clock p. m., adjourned until 10 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Highways and Motor Traffic filed a favorable report on House Bill No. 10.

The Committee on State Affairs filed favorable reports on resolutions as follows:

House Concurrent Resolutions Nos. 1, 5, 6, 4, and 11.

REPORT OF COMMITTEE ON EN- GROSSED BILLS

Committee Room,
Austin, Texas, February 2, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 1, Ratifying an amendment to the Constitution of the United States of America, passed by the Sixty-eighth Congress of the United States of America, at its First Session, begun and held at the City of Washington on Monday, the third day of December, one thousand nine hundred and twenty-four, which amendment, in substance, grants power to the Congress to limit, regulate, and prohibit the labor of persons under eighteen years of age, and expressly leaves unimpaired the power of the several States, except that the laws of said State shall be suspended to the extent necessary to give effect to legislation enacted by Congress.

Has carefully compared same, and finds it correctly engrossed.

PARKHOUSE, Acting Chairman.

REPORT OF COMMITTEE ON EN-
ROLLED BILLS

Committee Room,
Austin, Texas, February 5, 1934.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 4, "An Act to stay all
sales under execution, or order of sale
or under any deed of trust, mortgage
or other contract giving or granting
any power of sale of real property for
debt now advertised to be made on
February 6, 1934, until the first Tues-
day in March, 1934; providing that no
other or further advertisement or no-
tice of any such sale than that law-
fully given for sale on February 6,
1934, shall be required for such sale
on the first Tuesday in March, 1934;
providing this Act shall not affect any
lien sought to be foreclosed that was

procured for the purpose of securing
in part or whole any indebtedness for
money or property procured by mis-
representation, fraud, defalcation, or
embezzlement; providing the period
for making return on any such execu-
tion or order of sale is extended for
such period as may be necessary for
the officer to make return, but such
extension shall not extend beyond the
first Tuesday in April, 1934; provid-
ing for sales by agreements between
the record owner of the real estate
and the holder of the indebtedness or
trustee or person making such sale;
and providing that the time during
which any sale is suspended or ex-
tended shall not be computed as a
part of the period within which any
suit shall be instituted or any sale
shall be made, and declaring an emer-
gency,"

Has carefully compared same, and
finds it correctly enrolled.

GOOD, Acting Chairman.

In Memory of Hon. W. A. Few

Mr. Stovall offered the following resolution:

In memory of Honorable W. A. Few, we, your committee, beg leave to submit the following resolution:

Whereas, A noble and useful life was recently summoned to its conclusion in the death of the Honorable W. A. Few, casting over this body and his many friends a dark shadow of gloom and sorrow; and

Whereas, The Honorable W. A. Few led a useful, noble, and inspiring life daily before his friends and associates; and

Whereas, He was an outstanding citizen in his community and stood for good government and righteousness; and

Whereas, The Honorable W. A. Few was a valuable Member of this, the Forty-third Legislature in its Regular Session and its First Called Session, rendering zealous, faithful, and loyal service to the people of this State in what he thought to be of the best interest of all the people; therefore, be it

Resolved by the House of Representatives, That the Forty-third Legislature of the State of Texas officially expresses its deep bereavement and their sorrow at the departure of their friend and fellow worker; and be it further

Resolved, That we extend to his family that measure of consolation of which humanity is capable, assuring them that the mark of their husband and father shall remain as one of the perpetual pictures of endearment upon the records of this State; and be it further

Resolved, That when the House of Representatives shall stand adjourned on this day, that it shall be in memory of, and as a tribute to, Honorable W. A. Few, and that copies of this resolution be sent, by the Chief Clerk of the House, to his family.

STOVALL,
KAYTON,
McGREGOR.

The resolution was read second time.

On motion of Mr. Lemens, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Alsup, Anderson, Atchison, Baker, Barrett, Barron, Beck, Bedford, Bergman, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Celaya, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hicks, Hill, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Runnels, Jones of Shelby, Jones of Atascosa, Kyle of Palo Pinto, Kyle of Hays, Laird, Lange, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, Mathis, McCullough, McDougald, McKee, Merritt, Metcalfe, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roark, Roberts, Rogers of Ochiltree, Rogers of Hunt, Rollins, Russell, Savage, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stubbeman, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, Winningham, Wood, Young.

The resolution was unanimously adopted by a rising vote.